

J. Gary Gwilliam, Esq. (State Bar No. 33430)
Randall E. Strauss, Esq. (State Bar No. 168363)
Jayme L. Walker, Esq. (State Bar No. 273159)
Angelina M. Austin, Esq. (State Bar No. 336250)
Gwilliam, Ivory, Chiosso, Cavalli & Brewer
1999 Harrison Street, Suite 1600
Oakland, CA 94612-3528
Telephone: (510) 832-5411
Facsimile: (510) 832-1918
Email: ggwilliam@giccb.com; rstrauss@giccb.com; jwalker@giccb.com,
aaustin@giccb.com

Attorneys for Plaintiffs

ESTATE OF FRANK CARSON; GEORGIA DEFILIPPO; CHRISTINA DEFILIPPO; &
EDUARDO QUINTANAR, JR.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

Case No. 1:20-CV-00747-TLN-BAM

ESTATE OF FRANK CARSON AND
GEORGIA DEFILIPPO, as an individual and
as successor in interest to FRANK CARSON,

Plaintiffs,

vs.

COUNTY OF STANISLAUS, CITY OF
MODESTO, BIRGIT FLADAGER,
MARLISSA FERREIRA, DAVID HARRIS;
KIRK BUNCH, STEVE JACOBSON, JON
EVERS, CORY BROWN, and DOES 1-25,
inclusive,

Defendants.

**JOINT STIPULATION AND
ORDER TO CONTINUE OPPOSITION AND
REPLY DATES IN CONNECTION WITH
DEFENDANTS' MOTIONS TO DISMISS
THE SECOND AMENDED COMPLAINT OF
THE ESTATE OF FRANK CARSON AND
THE THIRD AMENDED COMPLAINTS OF
GEORGIA DEFILIPPO, CHRISTINA
DEFILIPPO, AND EDUARDO QUINTANAR**

GEORGIA DEFILIPPO AND CHRISTINA
DEFILIPPO,

Plaintiffs,

vs.

COUNTY OF STANISLAUS, CITY OF
MODESTO, BIRGIT FLADAGER,
MARLISSA FERREIRA, DAVID HARRIS;

Case No. 1:18-cv-00496-TLN-BAM

GWILLIAM IVARY CHIOSSO CAVALLI & BREWER
ATTORNEYS AT LAW
A Professional Corporation
1999 Harrison St., Suite 1600, Oakland, CA 94612

KIRK BUNCH, STEVE JACOBSON, JON
EVERS, CORY BROWN, and DOES 1-25,
inclusive,

Defendants.

EDUARDO QUINTANAR, JR.,

Plaintiffs,

vs.

COUNTY OF STANISLAUS, CITY OF
MODESTO, BIRGIT FLADAGER,
MARLISSA FERREIRA, DAVID HARRIS;
KIRK BUNCH, STEVE JACOBSON, JON
EVERS, CORY BROWN, and DOES 1-25,
inclusive,

Defendants.

Case No. 1:18-cv-01403-TLN-BAM

Plaintiffs ESTATE OF FRANK CARSON; GEORGIA DEFILIPPO; CHRISTINA
DEFILIPPO; EDUARDO QUINTANAR, JR.; (“Plaintiffs”); and defendants COUNTY OF
STANISLAUS; BIRGIT FLADAGER; MARLISSA FERREIRA; DAVID HARRIS; KIRK
BUNCH; STEVE JACOBSON; and CORY BROWN; (“Defendants”) through their respective
counsel, hereby agree and stipulate as follows:

1. WHEREAS Plaintiffs have been served with three separate Motions to Dismiss;

2. WHEREAS Angelina M. Austin, co-counsel for Plaintiffs CARSON; the
DEFILIPPOES; and QUINTANAR, has suffered an injury delaying her ability to properly
oppose the motions at issue;

3. All parties agree that the deadline for opposing Defendants’ motions to dismiss be
continued to January 13, 2023;

4. Defendants’ Reply Briefs shall be filed no later than March 3, 2023.

5. That the Hearing for the Motions to Dismiss presently set for February 9, 2023 be
continued to March 9, 2023 at 2:00 p.m.

The stipulated briefing schedule is as follows:

Plaintiffs' Opposition to Defendants' FRCP 12(b)(6) Motions to Dismiss	January 13, 2023
Defendants' Replies (if any)	March 3, 2023
Hearing Date	March 9, 2023 at 2:00p.m.

IT IS SO STIPULATED.

DATE: December 22, 2022

GWILLIAM, IVARY, CHIOSSO, CAVALLI & BREWER

/s/ Angelina M. Austin

J. Gary Gwilliam
Randall E. Strauss
Jayme L. Walker
Angelina M. Austin
Attorneys for Plaintiffs
ESTATE OF FRANK CARSON , GEORGIA
DEFILIPPO, CHRISTINA DEFILIPPO AND
EDUARDO QUINTANAR, JR.

DATE: December 22, 2022

PORTER SCOTT

A PROFESSIONAL CORPORATION

*/s/ John R. Whitefleet**

John R. Whitefleet
Attorneys for Defendants
COUNTY OF STANISLAUS, STANISLAUS
COUNTY OFFICE OF THE DISTRICT
ATTORNEY, BIRGIT FLADAGER, MARLISSA
FERRIERA, DAVID HARRIS, KIRK BUNCH,
STEVE JACOBSON, CORY BROWN

** Parties have consented to use of their electronic signature.*

ORDER

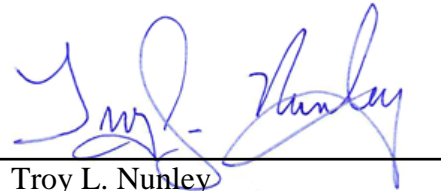
Pursuant to the stipulation of the parties:

The stipulated briefing schedule is as follows:

Plaintiffs' Opposition to Defendants' FRCP 12(b)(6) Motions to Dismiss	January 13, 2023
Defendants' Replies (if any)	March 3, 2023
Hearing Date	March 9, 2023, at 2:00 p.m.

IT IS SO ORDERED.

Dated: December 27, 2022


Troy L. Nunley
United States District Judge